



LOCAL HAPPENINGS

The Dillon Job Service is making every effort to bring meaningful presentations to our local employers to assist our businesses in their every day functions. Following are the presentations:

- The **Safety Writer Program**, held at Grandma's Kitchen, July 21, 2011 – this presentation assisted businesses in attendance with the setup of their individualized safety program to access reductions in their workman's compensation rates.
- **BEAR Presentation** held at The Search & Rescue Facility August 4, 2011 – this was an informational presentation to allow local businesses to become aware of the creation of a Dillon BEAR Team. BEAR stands for Business Expansion & Retention and the presentation gave the employers who attended valuable information regarding much needed training funds to assist their employees in varying capacities of their daily business.
- **Effective Communication for Supervisors** held at The Search & Rescue Facility September 13, 2011 – this presentation was our highest attendance yet. This was a 2-1/2 hour presentation and we received feedback requesting more of this workshop. If we have enough interest we are intending on bringing a one or two day workshop to our area.

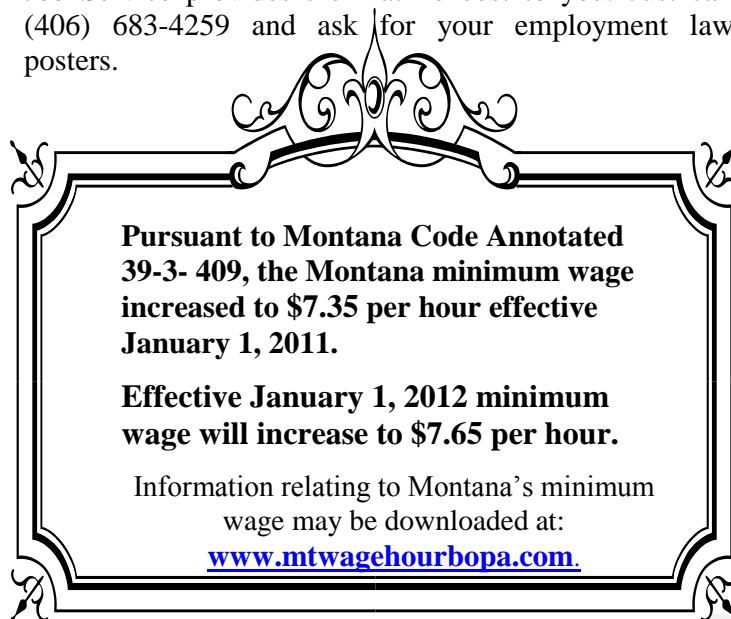


Remember to ask Job Service for your Posters:

- ✓ **5-in-1**
- ✓ **USERRA**
- ✓ **Clean Air Act**
- ✓ **National Labor Relations Act**

Don't let private companies make you believe you have to pay for them

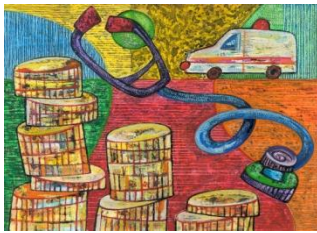
Job Service provides them at no cost to you. Just call (406) 683-4259 and ask for your employment law posters.



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Employer-Provided Health Coverage



Starting in tax year 2011, the Affordable Care Act requires employers to report the cost of coverage under an employer-sponsored group health plan. To give employers more time to update their payroll systems, Notice 2010-69 issued last fall, made this requirement optional for all employers in 2011. IRS Notice 2011-28 provided further relief for smaller employers filing fewer than 250 W-2 forms by making the reporting requirement optional for them at least for 2012 and continuing this optional treatment for smaller employers until further guidance is issued. Notice 2011-28 also includes information on how to report, what coverage to include and how to determine the cost of the coverage.

The 2011 Form W-2 is available for viewing on IRS.gov. This is the W-2 that most employees will receive in early 2012. The form includes the codes that employers may use to report the cost of coverage under an employer-sponsored group health plan.

This reporting is for informational purposes only, to show employees the value of their health care benefits so they can be more informed consumers. The amount reported does not affect tax liability as the value of the employer contribution to health coverage continues to be excludible from an employee's income, and it is not taxable.

For more information, see the Notice 2010-69, Notice 2011-28, the IRS You-Tube video, or frequently asked questions on the <http://www.irs.gov/> website.



New NLRB Poster required by November 14, 2011



EMPLOYEE RIGHTS NOTICE

Office of Public Affairs
202-273-1991
publicinfo@nlrb.gov
www.nlrb.gov

The New Employment Law Poster

The following information is the text from the NLRB poster that is required to be posted along with your other employment law posters for the benefit of your employees

EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA* are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the questions about specific rights that may apply in your particular workplace.

Under the NLRA, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co/workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

Under the NLRA, it is illegal for your employer to:

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.
- Threaten to close your workplace if workers choose a union to represent them.
- Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:

- Threaten you that you will lose your job unless you support the union.
- Refuse to process a grievance because you have criticized union officials or because you are not a member of the union.
- Use or maintain discriminatory standards or procedures in making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against you because of your union-related activity.
- Take other adverse action against you based on whether you have joined or support the union.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

*The National Labor Relations Act covers most private-sector employers. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered). **Employers are required to notify employees of their rights under the NLRA as of November 14, 2011.**

NLRA posting notice requirement delayed until January 31, 2012

On October 5, the National Labor Relations Board [extended](#) the implementation deadline for its notice posting [rule](#) from November 14 to January 31, 2012. As a result of this delay, nearly all private sector employers will now be required to post a notice that outlines employee rights under the National Labor Relations Act (NLRA) by January 31, 2012. Authorized posters can be downloaded here: <http://www.nlrb.gov/poster>. Please note that this announcement does not impact the current requirement that certain federal contractors must post NLRA employee rights in their workplaces. That requirement was established by President Obama's [Executive Order](#) signed on January 30, 2009.



Drug Testing in Montana

Please Read for Important Information Regarding 2011 Legislative Changes Affecting Drug Testing

The 2011 Montana legislature has amended Montana's Workforce Drug and Alcohol Testing Act effective May 6, 2011. In addition, the 2011 Legislature has substantially amended Montana's "Medical Marijuana Act", with some of those changes effective May 13, 2011, and other changes that took effect on July 1, 2011.

A link to the unofficial text version of the Montana **Workforce Drug and Alcohol Testing Act**: <http://wsd.dli.mt.gov/service/documents/2011workplacelacedrugandalcoholtestingstatutesmec518.pdf> of House Bill 43 (Chap. 315, Laws of 2011) is Workplace Drug and Alcohol Testing Statutes. A link to the **provisions** of Senate Bill 423, amending the Medical Marijuana Act, is: <http://data.opi.mt.gov/bills/2011/billpdf/SB0423.pdf>. Please periodically check the websites shown above for updated information as it becomes available.

If you plan to initiate drug testing, please contact your attorney for assistance



US Citizenship and Immigration Service (USCIS)

What's New:

The 2011 Handbook for Employers: Instructions for Completing Form I-9 (M-274) provides improved instructions and visual aids on a variety of topics related to Form I-9. Changes that have been made include:

Visual Aids for Completing Form I-9

- Adds examples of how to complete each section of the form.

Expanded Guidance on Photocopying and Retention

- Adds a Form I-9 retention calculator to help employers assess how long they must retain the form.
- Reflects the final rule published by ICE in July, 2010 amending the regulations on electronic storage and retention of Form I-9.

New Guidance on Breaks in Service, Mergers and Acquisitions

- Clarifies when a leave of absence is considered a break in employment and whether a new Form I-9 is necessary.
- Addresses when employers must complete Form I-9 when they acquire another company and take on its employees.

To view the 2011 Handbook for Employers: Instructions for Completing Form I-9 (M-274), (click on the link below). <http://www.uscis.gov/files/form/m-274.pdf>

BEAVERHEAD BUSINESS BITS COMMITTEE

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BEAVERHEAD BUSINESS BITS

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Sell More by Adding Variety

Bloomberg Business Week – Top Contributor
August 31, 2011

People buy more jelly beans when they're offered an assortment of colors. This is true even if all the different-colored jelly beans taste exactly the same. After reviewing 50 experiments that involved more than 5,000 consumers, researchers at Switzerland's University of Basel, Germany's University of Mannheim, and Indiana University in the U.S. concluded that the more choices for the shopper, the better.

There are two sorts of product lines where you are especially likely to realize sales increases when you augment variety.

1. Product categories in which you're seeing a dramatic increase in sales. These increases are a sign that you could be a destination location for that sort of merchandise. If you're selling lots of soccer equipment, expand the merchandise assortment to draw even more soccer equipment buyers.

2. Product categories that are underperforming in sales, compared to what you'd expect. If you've got evidence that other retailers are selling more baked goods than you, per square foot of merchandise space, consider expanding the variety of baked goods you offer in that merchandise space.

It's not enough just to load on variety. It's essential that you give the shopper a way to smoothly sort through the choices. Otherwise the abundance of alternatives will overwhelm and immobilize the shopper. As you introduce expanded alternatives, give the shopper meaningful categories to use.

Researchers at Stanford University and Columbia University find that categories enhance the sense of control by allowing the consumer to give reasons to themselves for the choices they're making. For foods and beverages, the categories might be by taste (coffees are mild, dark roast, or nutty). For clothing, the categories might be by usage occasion (leisure, office, party). For power tools and sports equipment, the categories might be by level of expertise recommended.

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<http://www.businessweek.com/smallbiz/tips/>